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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/248,419	02/11/99	MADDING R	IMA-0009

MM21/0703

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EXAMINER	
FRANKLIN, I	
ART UNIT	**PAPER NUMBER**
2876	

DATE MAILED: 07/03/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/248,419	MADDING ET AL.	
	Examin r	Art Unit	
	Jamara A. Franklin	2876	

-- Th MAILING DATE of this communication appears on the cov r sheet with the correspond nce address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 June 2001* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *14, 16, 19, 22, 28, and 35-65* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *14, 16, 19, 22, 28, and 35-65* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11)☒ The proposed drawing correction filed on *05 October 2000* is: a)☒ approved b)☐ disapproved.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☐ Notice of References Cited (PTO-892)
16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *9* .
18) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
19) ☐ Notice of Informal Patent Application (PTO-152)
20) ☐ Other: .

DETAILED ACTION

Acknowledgment is made of the amendment filed on 6/15/01. Claims 14, 16, 18, 19, 22, 28, and 35-65 are currently pending.

Continued Prosecution Application

1. The request filed on 6/15/01 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/248,419 is acceptable and a CPA has been established. An action on the CPA follows.

Claim Objections

2. Claim 61 is objected to because of the following informalities:

on line 8 of claim 61, remove the first occurrence of the word "of".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 16 and 28 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one

skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. First and second digital data fields are not found within the specifications.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 61-63 are rejected under 35 U.S.C. 102(e) as being anticipated by Furusawa (US 5,805,152).

Furusawa teaches a video presentation system utilizing both a bar code and a video camera in association with the system. Video data is produced by surveying/filming with a video camera (col. 8, lines 3-4). A bar code reader 13a reads a bar code, created by preceding computer steps, which is located on a subject on a screen of display unit 12. Inherently, the number of barcodes scanned by a user is judged at the user's discretion. The reader 13a electrically analyzes the bar code to obtain an identifier code (name) and transmits the identifier as a signal to a CPU 11a (digital processing unit). Utilizing the aforementioned signal, a data area 24 (internal memory module), found in the CPU 11a, is then searched to locate data relevant to the identifier (col. 5, line 49 - col. 6, line 11). The data area 24 stores video data for various scenes and character strings and numerical data associated with the video data (including

identifying name) (col. 7, lines 20-23). A data distribution means 25 forwards the found video data and character strings or numerical data to a video display means 26 to display the data.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 14, 16, 19, 28, 36, 39, 40, 56-60, 64, and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa. The teachings of Furusawa have been discussed above.

Furusawa lacks the teaching of a digital video image.

Official notice is taken on the grounds that one of ordinary skill in the art, at the time the invention was made, would have readily recognized that a digital video is just another type of

video format which may be chosen for its clarity and precision. Therefore, it would have been obvious to one of ordinary skill in the art to modify the teachings of Furusawa with the aforementioned teaching of a digital video signal.

Furusawa also lacks the teaching of separate data fields, each for storing video data, corresponding identifying name and other data.

One of ordinary skill in the art would readily recognize that storing the video image, identifying name and other data in separate data fields would be beneficial since this allows for an orderly and organized arrangement of data in the database especially since there may be a plurality of video images, identifying names, and other data to be managed. Therefore, it would have been obvious at the time the invention was made to place the video data, identifying name, and other data each in separate and corresponding data fields.

9. Claims 22, 37, 38, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa in view of Wakabayashi et al (US 5,903,706) (hereinafter referred to as 'Wakabayashi'). The teachings of Furusawa have been discussed above.

Furusawa does not teach a removable memory module and a data entry device.

Wakabayashi teaches a video camera unit 5 featuring a card slot 13 for receiving a PCMCIA card 14 (memory module), a selection button 7, a cursor key 8 (keypad), an eyepiece, and a RAM 105 (memory module) (col. 4, lines 44-51; col. 9, lines 22-26; fig. 1).

The benefit of coupling a PCMCIA card to a video camera is the added storage space and memory provided to a video camera that may be in frequent use or used for a plurality of operations. The benefit of coupling a keypad to a video camera is that a user may efficiently and

easily control particular operations of the camera by simply depressing the keypad buttons. Therefore, to one of ordinary skill in the art at the time the invention was made, it would have been obvious to modify the teachings of Furusawa with the PCMCIA card and keypad as taught by Wakabayashi.

10. Claims 35, 42, 43, 51, 53, and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa in view of Beller et al. (US 5,602,377) (hereinafter referred to as 'Beller'). The teachings of Furusawa have been discussed above.

Beller teaches a barcode label printer 320 which may convert human-readable characters, inputted via a key pad 240 or keyboard 342, into a barcode to be printed onto a label 345 (col. 11, lines 53-62). Also taught is a remote database 18 (base computer) which transmits data to a microprocessor 21 of a barcode scanning and labeling device 10 (col. 8, lines 23-29).

Official Notice is taken on the grounds that it is notoriously well known within the art to connect electrical units (including the base computer and the video camera) by means of an interfacing cable. The cable provides a physical connection between the units so that proper functioning and communication between the two units occurs.

One of ordinary skill in the art would have readily recognized that a barcode labeler gives the user a physical and tangible embodiment of the barcode representative of an image of a particular subject stored within the memory. This is beneficial since the barcode may now be attached to the particular subject which was surveyed/filmed by the user for added record-keeping measures. Having a remote database is beneficial since it also acts as an added record-keeping measure in the event that the other forms of memory are inoperable. Therefore, it would

have been obvious, at the time the invention was made, to modify the teachings of Furusawa with the barcode labeler and database as taught by Beller and the interfacing cable to connect the camera and base computer.

11. Claims 44, 45, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa in view of Tung et al. (US 5,903,321) (hereinafter referred to as 'Tung'). The teachings of Furusawa have been discussed above.

Furusawa lacks the teaching of converting an analog video image to a digital video image.

Tung teaches a method of converting analog video image signals into digital video image signals (col. 1, lines 58-67).

One of ordinary skill in the art would have readily recognized that converting the analog video image to digital video image is a means to transform the image to one which has allows for a visually clearer image. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Furusawa with the image conversion as taught by Tung.

12. Claims 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa/Tung as applied to claim 44 above, and further in view of Wakabayashi. The teachings of Furusawa/Tung have been discussed above.

Furusawa/Tung lack the teaching of a removable memory module and a data entry device.

The teachings of Wakabayashi have been discussed above.

Again, the benefit of coupling a PCMCIA card to a video camera is the added storage space and memory provided to a video camera that may be in frequent use or used for a plurality of operations. The benefit of coupling a keypad to a video camera is that a user may efficiently and easily control particular operations of the camera by simply depressing the keypad buttons. Therefore, to one of ordinary skill in the art at the time the invention was made, it would have been obvious to modify the teachings of Furusawa/Tung with the PCMCIA card and keypad as taught by Wakabayashi.

13. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa/Tung as applied to claim 44 above, and further in view of Dell (US 5,942,753). The teachings of Furusawa/Tung have been discussed above.

Furusawa/Tung lack the teaching of an infrared sensor.

Dell teaches a video recording device 30 and infrared remote sensors 40 to detect thermal energy from a vehicle 3 being surveyed (col. 3, lines 17-32).

One of ordinary skill in the art would have readily recognized that the infrared sensors may detect that which may not be visible and visually recordable by the video camera. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Furusawa/Tung with the aforementioned teachings of Dell.

14. Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa/Beller as applied to claim 51 above, and further in view of Wakabayashi. The teachings of Furusawa/Beller have been discussed above.

Furusawa/Beller lacks the teaching of a removable memory module and a data entry device.

The teachings of Wakabayashi have been discussed above.

Again, the benefit of coupling a PCMCIA card to a video camera is the added storage space and memory provided to a video camera that may be in frequent use or used for a plurality of operations. The benefit of coupling a keypad to a video camera is that a user may efficiently and easily control particular operations of the camera by simply depressing the keypad buttons. Therefore, to one of ordinary skill in the art at the time the invention was made, it would have been obvious to modify the teachings of Furusawa/Beller with the PCMCIA card and keypad as taught by Wakabayashi.

15. Claim 55 is rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa/Beller as applied to claim 51 above, and further in view of Dell. The teachings of Furusawa/Beller have been discussed above.

Furusawa/Beller lacks the teaching of an infrared sensor.

The teachings of Dell have been discussed above.

Again, one of ordinary skill in the art would have readily recognized that the infrared sensors may detect that which may not be visible and visually recordable by the video camera. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Furusawa/Beller with the aforementioned teachings of Dell.

Response to Arguments

16. Applicant's arguments filed 6/15/01 have been fully considered but they are not persuasive.

The system of the Furusawa reference consists of a bar code scanner, a memory module, a, and a digital data processor; all of which are *contained* within the system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamara A. Franklin whose telephone number is (703) 305-0128. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703)308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Jamara A. Franklin
Examiner
Art Unit 2876

JAF
June 29, 2001

KARL D. FRECH
PRIMARY EXAMINER